

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

SHANTA, INC. d/b/a GREEN CARPET INN,

Plaintiff,

v.

NAUTILUS INSURANCE COMPANY,

Defendant.

Case No. CIV-15-872-R

NOTICE OF REMOVAL

1. Nautilus Insurance Company is a defendant in a civil suit brought against it in the District Court of Oklahoma County, state of Oklahoma, titled *Shanta, Inc. d/b/a Nautilus Insurance Company, Defendant* Case No. CJ-15-3036.

2. True, correct and legible copies of Plaintiff's Petition and the state court docket sheet are attached as Exhibits 1 and 2, respectively. Other pleadings filed to date are as follows:

- Return of Service, Exhibit 3; and
- First Amended Petition, Exhibit 4.

3. Plaintiff filed the state court action on May 29, 2015, in Oklahoma County, Oklahoma. Exhibit 1, Petition.

4. In its Petition, Plaintiff alleges that its property is located at 720 South MacArthur, Oklahoma City, Oklahoma 73128. Exhibit 4, paragraph 4.1. Upon information and belief as verified through the Oklahoma Secretary of State,

Plaintiff is an Oklahoma citizen with its principal place of business in Oklahoma. Defendant, Nautilus Insurance Company, is not an Oklahoma citizen but is a corporation incorporated under the laws of the state of Arizona with its principal place of business in Arizona. Exhibit 4, paragraph 2.3.

6. Plaintiff alleges that it is entitled to payment of all contractual benefits for all coverages in excess of \$75,000 afforded under the subject policy of insurance for damage to its business and personal property. Exhibit 4, paragraph 3.1.

8. Pursuant to 28 U.S.C § 1441 and 1446, Nautilus removes this action to the United States District Court for the Western District of Oklahoma.

9. As demonstrated herein, there is complete diversity of citizenship between Plaintiff and Defendant, and the amount in controversy exceeds this Court's minimum jurisdictional limit, giving this Court original jurisdiction pursuant to 28 U.S.C. § 1332(a)(1).

10. This Notice of Removal is filed within thirty (30) days following receipt of pleadings making this case removable. Removal has thus been timely accomplished.

11. Written notice of the filing of this Notice of Removal will be promptly provided to Plaintiff's counsel via regular mail. Also, a copy of this Notice of Removal will be filed with the clerk of the District Court of Oklahoma County, state of Oklahoma, as provided by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant Nautilus Insurance Company removes this action to this Court, invoking this Court's jurisdiction.

Respectfully submitted,

PIERCE COUCH HENDRICKSON
BAYSINGER & GREEN, L.L.P.

s/Amy S. Neathery

Dan Hoehner, OBA No. 10852
Amy S. Neathery, OBA No 20344
Post Office Box 26350
Oklahoma City, OK 73126-0350
Telephone: (405) 235-1611
Facsimile: (405) 235-2904
lbabb@piercecouch.com
aneathery@piercecouch.com

*Attorneys for Defendant,
Nautilus Insurance Company*

CERTIFICATE OF SERVICE

This is to certify that on the 10th day of August, 2015, I electronically transmitted the above document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

s/Amy S. Neathery
Amy S. Neathery